

### 3. Waters of the United States

Surface waters and jurisdictional wetlands fall under the broad category of “waters of the United States,” as defined under 33 CFR §328.3(a). Any action that proposes to place fill material into these areas falls under the jurisdiction of the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344).

#### a. Streams, Rivers, Impoundments

The project is within the Cape Fear River basin (sub-basin 03-06-16, HUC 03030005). Fourteen jurisdictional streams, Browns Creek, an unnamed tributary to Browns Creek, and twelve unnamed streams were identified in the study area (Table 10). Each stream has a best usage classification of C and an Index Number of 18-45 by the NC Division of Water Quality. The location of each water resource is shown in Figure 8. The physical characteristics of these streams are provided in Table 8.

**Table 8**  
**Physical Characteristics of Water Resources in the Project Area**

<b>Stream Name</b>	<b>Bank Height (ft)</b>	<b>Bankfull Width (ft)</b>	<b>Water Depth (ft)</b>	<b>Channel Substrate</b>	<b>Flow</b>	<b>Clarity</b>	<b>Classification</b>
Brown's Creek (SA 1)	2-4	35	3	Sand	Medium	Medium	Perennial
SA 2	2-3	8	1	Sand, Silt	Slow	Medium	Perennial
SA 3	5	3	1	Sand, Silt	Slow	Medium	Perennial
SA 4	5	4	1	Sand, Silt	Slow	Medium	Intermittent
SA 5	1	2	1	Sand, Silt	Slow	Medium	Perennial
SA 6	2	5	1	Sand, Silt	Slow	Medium	Perennial
SA 7	2	3	1	Sand, Silt	Slow	Medium	Perennial
SA 8	3	4	1	Sand, Silt	Slow	Medium	Perennial
SA 9	1	3	1	Sand, Riprap	Slow	Medium	Intermittent
SA 10	2	3	2	Sand, Silt	Slow	Medium	Perennial
SA 11	2	3	2	Sand, Silt	Slow	Medium	Perennial
Ut to Brown's Creek (SA 12)	3	5	2	Sand, Silt	Slow	Medium	Perennial
SA 13	1	4	1	Sand, Silt	Slow	Medium	Perennial
SA 14	1	3	1	Sand, Silt	Slow	Medium	Perennial

No waters classified as High Quality Waters (HQW), Water Supplies (WS-I: undeveloped watersheds or WS-II: predominately undeveloped watersheds), or Outstanding Resource Waters (ORW) occur within one mile of the project area. Browns Creek is not designated as a North Carolina Natural or Scenic River, or as a National Wild and Scenic River. Browns Creek was included on the 2006 and the 2008 lists, but is not listed on the draft 2010 303(d) list of impaired waters.

Benthic monitoring information is not available for this watershed.